REMARKS

A Supplemental Information Disclosure Statement is submitted herewith.

In the Office Action dated December 10, 2004, claims 1-4 and 6-37 were rejected under 35 U.S.C. § 102 over U.S. Patent No. 6,810,478 (Anand); and claims 5 and 38 were rejected under § 103 over Anand alone.

It is respectfully submitted that Anand does not disclose each and every element of claim 1. Claim 1 recites a method that includes listening with an embedded OS based computer to PXE requests from a plurality of PXE enabled target servers of a computer network. There is no teaching in Anand of any entity that can constitute such an *embedded OS based computer*. Anand, in column 5, describes a chained bootstrap operation in which a process: sends a DHCP broadcast; receives DHCP/PXE proxy offers; sends a BINL request to a BINL server; receives a BINL reply from the BINL server that indicates the IP address of a TFTP server and the name of a file that contains the initial NBP; sends a TFTP request for the initial NBP file to the TFTP boot server; and receives the initial NBP file from the boot server. Anand, 5:25-38. This NBP file constitutes a chained bootstrap that is "always the first bootstrap loaded on the target client machine." Anand, 5:38-41. As further taught by Anand, the network environment disclosed in Anand includes DHCP/PXE proxy servers, multiple boot servers running BINL and TFTP server software that may be located on the same server computers 104, 105 as the DHCP/PXE proxy servers. Anand, 3:45-48. Thus, as taught by Anand, all the entities involved in remote booting of a client include servers. There is no teaching anywhere in Anand that any of its servers can be an embedded OS based computer.

Claim 1 further recites the provision of a netboot program and address information of a boot server from the embedded OS based computer to a PXE enabled target server. In contrast, according to Anand, the netboot program (NBP file) is received from the *boot server*, not from the embedded OS based computer as recited in claim 1.

In view of the foregoing, it is respectfully submitted that claim 1 is not anticipated by Anand.

Independent claim 22 is also allowable over Anand, which does not disclose an embedded OS based computer having an embedded operating system to control a network interface controller. Also, with respect to claim 22, Anand fails to disclose PXE routing software

to perform processor executable steps of providing, to a target server, a netboot program and address information of a boot server separate from the embedded OS based computer. Claim 22 is therefore also not anticipated by Anand.

Claims 29-38 have been cancelled, without prejudice, to render the rejections of those claims moot.

Newly added independent claim 47 is also allowable over Anand, which fails to disclose a first computer sending a program and address information of a boot server to the target server, where the boot server is *separate* from the first computer. As noted above, in Anand, it is the boot server that sends the NBP file for remote booting of the target client machine.

Newly added independent claim 53 is also allowable over Anand, which fails to disclose a computer having an embedded operating system, and software executable on a processor to receive a request from a target server, and send information to the target server to direct the target server to a boot server separate from the computer for downloading a boot image from a boot server for remote booting of the target server, where the computer is a *reduced-capability computer having less capability than a server computer*. In Anand, the entities involved in the remote booting process are all server-based systems. Use of the reduced-capability computer as recited in claim 53 allows for reduced costs associated with remote booting of servers, as described in paragraphs [0006], [0017], and [0018] of the present application, according to an embodiment of the invention.

In view of the foregoing, it is respectfully submitted that claim 53 is allowable over Anand.

Dependent claims, including newly added dependent claims 39-46, 48-52, and 54-58, are allowable over the cited reference for at least the same reasons as corresponding independent claims.

Moreover, it is respectfully submitted that claim 5 is not obvious over Anand. The Office Action conceded that Anand fails to disclose the embedded OS as being a Windows CE OS. However, the Office Action took official notice that Windows CE is well known. Applicant respectfully traverses the taking of official notice in this context. Windows CE is clearly not well known in the context of remote booting. In fact, Anand itself is objective proof that server-based computers must be involved for remote booting of client machines. There is
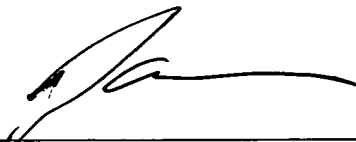
absolutely no teaching or suggestion anywhere in Anand, and there certainly is no knowledge possessed by persons of ordinary skill in the art, at the time of the present invention, of using a Windows CE OS based computer for performing the listening and providing acts of claim 1. If a reference exists that would suggest a modification of Anand to achieve the claimed invention, Applicant respectfully requests the production of such a reference. Absent such a reference, it is respectfully submitted that a *prima facie* case of obviousness has not been established with respect to claim 5.

Dependent claim 45, which depends from claim 22, and dependent claim 54, which depends from claim 53, are also similarly non-obvious over Anand.

Allowance of all claims is respectfully requested. The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 08-2025 (200302041-1).

Respectfully submitted,

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